

REMARKS

This Amendment is in response to the Office Action dated January 26, 2004. In that Office Action, claims 2-6 and 16-26 were examined; claims 3, 17, 21-23, and 25 were allowed; claims 18-20 and 26 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and claim the subject matter which applicant regards as his invention; these claims (18-20 and 26) were further noted as allowable if rewritten to overcome the rejections under 35 U.S.C. §112; claims 2, 4-5, 16 and 24 were rejected under 35 U.S.C. §102(b) as being anticipated by Blickstein (USPN 5,557,253); and claim 6 was rejected under 35 U.S.C. §103(a) as being obvious in view Blickstein (USPN 5,557,253) and further in view of Examiner's "Official Notice" regarding keeping track of a call stack..."

In this response claims 2, 4-6, 16, and 24 have been canceled without prejudice. Additionally, claims 18-20 and 26 were amended to overcome the §112 rejections. No new claims have been added. Therefore, it is believed that all claims should be in allowable form.

Claim Rejections – 35 U.S.C. § 112

Claims 18-20, and 26 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse these rejections. Claims 18-

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20 and 26 relate to common language files having specific characteristics. Whether a particular file “may be imported” or whether a particular file “may be consumed” as recited in these claims does not necessarily require that the file be imported or consumed in order to particularly point out subject matter of the invention. That said however, in order to move this case to allowance, each claim has been amended above to replace the term “may be” with the word “is” such that each of these claims even more distinctly claims the subject matter which the Applicants regard as their invention. Applicants explicitly reserve the right to claim subject matter relating to the characteristics of the common language file in a continuing application.

Canceled Claims

Claims 2, 4-6, 16 and 24 have been canceled above. Claims 2, 4, 5, 16, and 24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Blickstein (USPN 5,557,253) and claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Blickstein. Although the claims have been canceled above in order to move this case to allowance, Applicants explicitly reserve the right to re-file these claims in a continuing application. Thus, the present cancellation should not be deemed as an acquiescence or agreement that the prior art anticipates or renders these claims obvious.

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Conclusion

As amended, the present application now includes 10 claims, 4 of which are independent. Accordingly, it is believe that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance, and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Dated: _____

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PATENT TRADEMARK OFFICE

Respectfully submitted,

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